

Article - Education

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§2–303.

(a) In addition to the other powers granted and duties imposed under this article, the State Superintendent has the powers and duties set forth in this section.

(b) (1) The State Superintendent shall enforce the provisions of:

(i) This article that are within his jurisdiction; and

(ii) The bylaws, rules, and regulations of the State Board.

(2) If an educational institution or county board violates any of these provisions, the State Superintendent, by written notice, may require the State Comptroller to withhold from that institution or board:

(i) All or any part of an appropriation made by the General Assembly; and

(ii) All or any part of any other payment from funds budgeted by the State.

(c) The State Superintendent shall:

(1) Carry out the educational policies of the State Board;

(2) Call and conduct conferences of county boards and professional personnel of the county school systems on the condition, needs, and improvement of the schools; and

(3) Prepare and publish pamphlets to:

(i) Stimulate public interest;

(ii) Promote the work of education; and

(iii) Foster professional insight and efficiency in teachers.

(d) The State Superintendent is a member of the Governor's Executive Council.

(e) The State Superintendent shall:

(1) Receive and examine each report required under the bylaws, rules, and regulations of the State Board; and

(2) Examine the expenditures, business methods, and accounts of each county board and advise each county board about them.

(f) (1) Subject to the bylaws, rules, and regulations of the State Board, and except as provided in paragraph (5) of this subsection, the State Superintendent shall approve or disapprove each:

(i) Proposal for the purchase or sale of any ground, school site, or building;

(ii) Plan or specification for the remodeling of a school building if the remodeling costs more than \$350,000;

(iii) Plan or specification for the construction of a new school building; and

(iv) Change order that costs more than \$25,000 for the remodeling, restoration, or construction of a school building.

(2) If the State Superintendent disapproves any plan, specification, proposal, or change order, he shall state in writing the reasons for his disapproval.

(3) If the construction is to be done by a county board, the board may not begin until the plans and specifications are approved in writing by the State Superintendent.

(4) If the construction is to be done by contract, the contract is invalid without the written approval of the State Superintendent.

(5) For the purchase of any ground or school site under paragraph (1) of this subsection, the county board shall submit the purchase to the State Superintendent for approval or disapproval not more than 3 years before the project is submitted to the Interagency Commission on School Construction for local planning approval.

(g) (1) The State Superintendent shall certificate the professional personnel in each public school in accordance with this article and subject to the bylaws, rules, and regulations of the Professional Standards and Teacher Education Board.

(2) Renewal requirements for any professionally certificated employee may be waived if:

(i) The renewal is recommended by the county superintendent having jurisdiction over the employee; and

(ii) The professionally certificated employee is:

1. 55 years old or older; or

2. Employed in public or approved nonpublic school service for at least 25 years.

(h) (1) If the program is based on and complies with the standards established by the bylaws, rules, and regulations of the State Board, the State Superintendent shall approve any program of instruction offered by a State institution under the supervision of:

(i) The Department of Juvenile Services;

(ii) The Developmental Disabilities Administration or the Behavioral Health Administration of the Maryland Department of Health;

(iii) The Department of Public Safety and Correctional Services; or

(iv) The residential school located within the Institute of Psychiatry and Human Behavior of the University Hospital.

(2) If the State Superintendent grants approval, he shall issue a certificate of approval for the program to the institution that offers the program.

(3) The certificate may be revoked for cause by the State Superintendent.

(4) Each institution that offers an approved program shall:

(i) Be open at all reasonable times for inspection of the program by the State Superintendent or his designated agent; and

(ii) Furnish the information and reports that the State Superintendent considers necessary for evaluation of the program.

(5) The State Superintendent shall issue a certificate of completion of credit to a resident of an institution who successfully completes an approved program of instruction.

(i) (1) The State Superintendent may furnish visual and auditory aids, educational television, and any other aids to facilitate instruction in all subjects in any school, institution, or organization under the supervision of the State Board.

(2) Material collected for this purpose may be made available for a limited time to any responsible institution or organization for the benefit of citizens of this State.

(3) The State Superintendent may make contracts to carry out the provisions of this subsection.

(j) The State Superintendent shall establish an Early Childhood Development Division within the Department.

(k) The State Superintendent shall perform any other duties assigned to him:

(1) Under this article; or

(2) By the State Board.

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